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# Fax

**To:** Dr. Leon B. Lankford, Jr. **From:** John W. Mahoney  
**Fax:** (703) 872-9306 **Pages:** 9 plus cover  
**Phone:** **Date:** 17 May 2005  
**Re:** Inquiry Re: Status of Case **CC:**  
 **Urgent**  **AS REQUESTED**  **Please Comment**  **Please Reply**  **Please Recycle**

• **Comments:**

RE: Serial Number 10/029,779

Dear Examiner Lankford

Attached is an inquiry into the status of the above referenced case. It appears that the Office may have misplaced the completed USPTO Form-85.

Please call me at (510) 705-7725 if you have any questions regarding this matter.

Kind Regards,

*John W. Mahoney* 17 May 2005  
John W. Mahoney  
Reg. No. 44,892

Application Number 10/029,779  
Inquiry dated 17/05/2004  
Inquiry Re: Status of Case

Attorney Docket No. MSB-7277

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**MAY 17 2005**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Rudiger Heidemann, et al. Group Art Unit: 1651  
Serial Number: 10/029,779 Examiner: Lankford Jr, Leon B  
Filed: 12/18/2001 Confirmation Number: 5688  
Title: A Device and Method for Seed Train Expansion of Mammalian Cells

**INQUIRY REGARDING STATUS OF CASE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is an inquiry into the status of the above-identified case. It appears that the Issue Fee Transmittal form may have been lost at the USPTO and the case is at risk of going abandoned. Please review the attached records and allow this case to issue at the earliest opportunity.

- On 06/03/2004 the USPTO issued a Notice of Allowance (copy attached).
- On 21/06/2004 Applicants send by US Post Office - Express Mail (Item Tracking Number EV28 6048 706US) to Addressee service the completed PTOL-85 Form authorizing the Office to withdraw the issue fee from Assignee's Deposit Account. The Certificate of Mailing is completed by Luajuana LeGrande and dated June 21, 2004. (Copy Attached)

Application Number 10/029,779  
Inquiry dated 17/05/2004  
Inquiry Re: Status of Case

Attorney Docket No. MSB-7277

• On 23/06/2004, at 9:59AM, the USPS delivers the Express Mail envelope containing the completed PTOL-85 Form to the USPTO. US Post Office records show that Mary Boston signs the receipt accepting delivery of Express Mail Item Tracking Number EV28 6048 706US (copy attached).

• Recently the Office reported to me that it has no record of receiving the completed Form-85.

• Please amend the Patent Term Adjustment under 35 USC 154(b) to reflect this delay in patent publication. Copy of original computation is attached.

Please let me know if there is additional information necessary to allow this application to issue.

Respectfully Submitted,

*John W. Mahoney* 17 May 2005  
John W. Mahoney  
Attorney for Applicants  
Reg. No. 44,892

Bayer Corporation  
(510) 705-7725



## UNITED STATES PATENT AND TRADEMARK OFFICE

6-9  
Review & Return  
Skt. Lee.  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590  
Bayer Corporation  
800 Dwight Way  
P.O. Box 1986  
Berkeley, CA 94701

06/03/2004



EXAMINER

LANKFORD JR, LEON B

ART UNIT

PAPER NUMBER

1651

DATE MAILED: 06/03/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,779	12/18/2001	Rudiger Heidemann	MSB-7277	5688

TITLE OF INVENTION: DEVICE AND METHOD FOR SEED-TRAIN EXPANSION OF MAMMALIAN CELLS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	09/03/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-8SB (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

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B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

## If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

21  
June , 2004

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MSB-7277

Mail Stop Issue Fee  
Commissioner for Patents. P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Kindly acknowledge receipt of the attached by dating and returning this postal card.

In re Application of: Rudiger Heidemann, et al.  
Serial No.: 10/029,779 Filed: December 18, 2001 Examiner: L.B. Lankford Art Unit: 1651

Part B - Fee Transmittal - (1 page)

Respectfully,

*John W. Mahoney June 21, 2004*  
John W. Mahoney



John W. Mahoney  
Bayer Corporation  
800 Dwight Way  
P.O. Box 1986  
Berkeley, California 94701

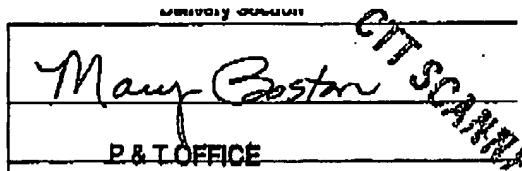


Date: 05/06/2005

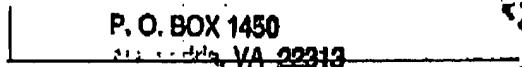
JOHN MAHONEY:

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Sincerely,

United States Postal Service



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## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,779	12/18/2001	Rudiger Heidemann	MSB-7277	5688
7590	06/03/2004		EXAMINER	
Bayer Corporation 800 Dwight Way P.O. Box 1986 Berkeley, CA 94701				LANKFORD JR, LEON B
		ART UNIT	PAPER NUMBER	1651

DATE MAILED: 06/03/2004

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
 (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 227 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 227 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.